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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

MUR: 5924

DATE COMPLAINT FILED: June 25, 2007

DATE OF NOTIFICATION: July 13, 2007

LAST RESPONSE RECEIVED: August 27, 2007

DATE ACTIVATED: September 21, 2007

EXPIRATION OF SOL: October 2011

COMPLAINANT: State of California, Department of Justice

RESPONDENTS: Tan Nguyen
Tan Nguyen for Congress and Tien Nguyen, in her official capacity
as Treasurer¹
Mark Nguyen
California Coalition for Immigration Reform and Barbara Cae,
President
Roger Rudman

RELEVANT STATUTES: 2 U.S.C. § 434(b)
2 U.S.C. § 441a(a)(1)
2 U.S.C. § 441a(a)(7)(B)
2 U.S.C. § 441a(f)
2 U.S.C. § 441d(a)
11 C.F.R. § 109.21
11 C.F.R. § 110.11

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED:

¹ Tien Nguyen, the candidate's sister, was not the treasurer at the time of the events described herein. It appears that Emilee Tello, the treasurer at that time, quit when news of the letter became public and CDOJ commenced its investigation. There is no information to suggest that Ms. Tello should be named in her personal capacity as treasurer in this matter.

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I. INTRODUCTION

The California Department of Justice ("CDOJ") alleges that Tan Nguyen ("the candidate" or "Nguyen") and Tan Nguyen for Congress and Tien Nguyen, in her official capacity as Treasurer, ("the Committee") accepted an excessive in-kind contribution from Mark Nguyen in the form of a letter sent in mid-October 2006 to approximately 14,000 registered voters in the 47th Congressional district in California where Tan Nguyen was a candidate for the House seat. The complaint asserts that the letter was paid for in part by Mark Nguyen (unrelated), a campaign volunteer and friend of the candidate, but was created and mailed at Tan Nguyen's behest and with the direct involvement of him and his campaign staff. The complaint further alleges that Mark Nguyen made an excessive contribution, the letter lacked a required disclaimer, and the Committee lacked a named treasurer for more than a 10-day period.

CDOJ received complaints about the letter, which purported to warn Hispanic immigrants that they could suffer criminal consequences if they voted. The letter was written in Spanish on the letterhead of the California Coalition for Immigration Reform ("CCIR"), a local anti-immigration group. After several months of investigating, however, CDOJ closed its case and soon after filed a complaint and a copy of its investigatory record with the Commission.²

Given the involvement of the candidate, the use of campaign staff and resources to create the mailer, and the concerted effort made to conceal the true identity of the sender, and as discussed further below, we recommend that the Commission find:

- Reason to believe that Tan Nguyen knowingly and willfully violated 2 U.S.C. § 441a(f) by accepting an excessive in-kind contribution in the form of a coordinated communication and 2 U.S.C. § 441d(a) by failing to include a disclaimer on a public communication;

² According to news reports, the State of California closed its case because it could not establish a criminal intent to intimidate lawful voters. See Haldan, David, "O.C. candidate is cleared in immigrant letter fiasco," *Los Angeles Times* (May 17, 2007).

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- Reason to believe that Tan Nguyen for Congress and Tien Nguyen, in her official capacity as Treasurer, knowingly and willfully violated 2 U.S.C. §§ 441a(f) and 434(b) by accepting and failing to report an excessive in-kind contribution in the form of a coordinated communication and 2 U.S.C. § 441d(a) by failing to include a disclaimer on a public communication;
- Reason to believe that Mark Nguyen knowingly and willfully violated 2 U.S.C. § 441a(a)(1) by making an excessive contribution in the form of a coordinated communication;
- Reason to believe that Tan Nguyen for Congress and Tien Nguyen, in her official capacity as Treasurer, violated 2 U.S.C. § 434(b)(4) by failing to report disbursements;
- Dismiss the allegation that Tan Nguyen for Congress and Tien Nguyen, in her official capacity as Treasurer, violated 2 U.S.C. § 433(c) by failing to report the name of a new treasurer within 10 days; and
- No reason to believe that the California Coalition for Immigration Reform, Barbara Coe, or Roger Rudman violated the Act.

II. FACTUAL AND LEGAL ANALYSIS

In August 2006, Congressional candidate Tan Nguyen met with the Orange County Registrar of Voters to express his concern that "illegal aliens," specifically Mexicans, would be voting in the General Election. See CDOJ Tan Nguyen Interview Report, p. 2; CCIR/Barbara Coe Response, p. 1. Nguyen reportedly feared that illegal Hispanic immigrants would vote for his opponent, Loretta Sanchez. See Tan Nguyen "cross complaint" attachment, "Win, Lose ... or Jail? The Tan Nguyen Story," p. 3; CDOJ Neal Kelley (Orange County Registrar of Voters) Interview Report, pp. 1-2. The registrar told Nguyen that little could be done to confirm someone's citizenship when they registered to vote. See *id.* In September, Nguyen spoke with Barbara Coe, the president of California Coalition for Immigration Reform ("CCIR"), and

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1 expressed the same concern. *See* CCIR/Barbara Coe Response, p. 1. She told him that CCIR
2 had often publicized the message that only citizens can vote and faxed him a proposed flyer and
3 several pages of blank CCIR letterhead. *See id.*

4 Sometime in September 2006, Roger Rudman, a friend and campaign worker for Nguyen,
5 drafted a letter, warning immigrants of potential criminal penalties for voting, in English in
6 consultation with Tan Nguyen. *See* Complaint, p. 3 and exhibits (letter and subsequent English
7 translation); CDOJ Tan Nguyen Interview Report, p. 2; CDOJ Statement of Probable Cause,
8 Exhibit E (email thread between the candidate and Rudman). Rudman subsequently obtained a
9 Spanish translation of the letter and signed it with the fictitious name "Roberto Gonzalez." *See*
10 Complaint, p. 3-4; CDOJ Robert Tapia Interview Transcript, pp. 8-9; CDOJ Statement of
11 Probable Cause, Exhibit E. At the same time, Nguyen ordered a mailing list of voters from his
12 usual list vendor, Political Data, Inc. ("PDI"). *See* CDOJ Tan Nguyen Interview Report, pp. 2-3;
13 email exchange between Tan Nguyen and Kevin Callan, PDI salesman, AGO docs #00321-326,
14 334-336. Nguyen asked PDI to include voters that were registered Democrats or "Did not state"
15 voters with a Hispanic surname and "Spanish birthplace." *See id.* Nguyen paid \$1,131.18 for the
16 voter list with his American Express credit card. *See* CDOJ Kevin Callan (PDI salesman)
17 Interview Report, p. 2 and related exhibits.

18 Also in September 2006, Nguyen gave a piece of the blank CCIR letterhead to Chi Dinh,
19 his campaign secretary and office manager, and directed her to make a few stylistic changes to
20 the letterhead (for example, adding an image of an eagle) and create a mailing envelope with a
21 return address showing CCIR's name and address. *See* CDOJ Chi Dinh Interview Transcript, pp.
22 27-30. Tan Nguyen approved Dinh's changes to the CCIR letterhead and directed her to

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1 electronically merge the Spanish translation of the letter onto the CCIR letterhead. *See id.*, at 41-
2 48, 65-66; Complaint, p. 3.

3 In early October 2006, Rudman and Mark Nguyen, another friend and campaign
4 volunteer and also Dinh's fiancé, took charge of the mailing, with the assistance of Dinh. *See*
5 Complaint, pp. 3-5; CDOJ Mark Nguyen Interview Transcript, pp. 23-36, 60-62. Tan Nguyen
6 emailed Dinh the list of voters he had purchased from Political Data, and Dinh, using one of
7 Mark Nguyen's email accounts, emailed the list to the mailing house. *See* Complaint, p. 3;
8 CDOJ Chi Dinh Interview Transcript, p. 59-66; CDOJ Mark Nguyen Interview Transcript, pp.
9 55-57. Mark Nguyen asked his Los Angeles Police Department colleague Sergio Ramirez to
10 "proof" the letter, which Ramirez did. *See* CDOJ Sergio Ramirez Interview Transcript, p. 3-5.
11 Mark Nguyen asked Ramirez to sign the letter to show that he proofed it. *See id.* Without asking
12 Ramirez, Mark Nguyen had Dinh change the signatory of the letter to "Sergio Ramirez" and
13 scanned Ramirez's signature onto the letter.³ *See id.*, p. 9-10; CDOJ Chi Dinh Interview
14 Transcript, p. 51. Mark Nguyen then coordinated getting the voter list, the letter, and envelope to
15 Mailing Pros, the mailing house used by the Committee for mailings. *See* CDOJ Chi Dinh
16 Interview Transcript, p. 56. Mark Nguyen had several conversations with Mailing Pros regarding
17 the status of the job. *See* CDOJ Mark Nguyen Interview Transcript, pp. 67-68.

18 On October 9, Mark Nguyen advised Tan Nguyen that the mailing house was taking
19 longer than desired. *See id.*, at 68. It appears that the Committee wanted the letters to be
20 delivered before the date for absentee voters to cast ballots. Tan Nguyen called the mailing
21 house and urged it to expedite the mailing for his friend Mark Nguyen. *See* Complaint, p. 4;

³ Right before the letter was sent to the mailing house, Rudman and the Spanish translator, Robert Tapia, told Mark Nguyen that Ramirez's signature was too "feminine." *See* CDOJ Chi Dinh Interview Transcript, p. 52. Mark Nguyen then wrote a "new" signature for Ramirez, and that signature was scanned onto the letter. *See id.* at 53.

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1 CDOJ Tan Nguyen Interview Report, p. 4. Tan Nguyen did not tell the mailing house that Mark
2 Nguyen worked on his campaign or that the letters were from his Committee. *See id.* On
3 October 12, after almost all the letters had been mailed, Mark Nguyen went to Mailing Pros and
4 paid \$4,304.57 for the mailing with his credit card. *See Complaint*, p. 4; CDOJ Mark Nguyen
5 Interview Transcript, p. 70. Mark Nguyen was not reimbursed for the mailing expense. *See*
6 CDOJ Mark Nguyen Interview Transcript, p. 77.

7 **A. Mark Nguyen Knowingly and Willfully Made and Tan Nguyen and the**
8 **Committee Knowingly and Willfully Accepted an Excessive Contribution in**
9 **the Form of a Coordinated Communication**

10
11 Tan Nguyen and the Committee may have violated 2 U.S.C. § 441a(f) and Mark Nguyen
12 may have violated 2 U.S.C. § 441a(a)(1) if Mark Nguyen, who paid for the printing and mailing
13 costs of the letter, coordinated the communication with the Committee, resulting in an excessive
14 in-kind contribution. A payment for a coordinated communication is an in-kind contribution to
15 the candidate's authorized committee with which it is coordinated and must be reported as an
16 expenditure made by that candidate's authorized committee. 11 C.F.R. § 109.21(b)(1). In
17 addition, as an in-kind contribution, the costs of a coordinated communication must not exceed a
18 political committee's applicable contribution limits. *See* 2 U.S.C. § 441a.

19 To determine whether a communication is coordinated, 11 C.F.R. § 109.21 sets forth a
20 three-pronged test: (1) the communication must be paid for by a person other than a Federal
21 candidate, a candidate's authorized committee, or political party committee, or any agent of any
22 of the foregoing; (2) one or more of the four content standards set forth in 11 C.F.R. § 109.21(c)

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1 must be satisfied; and (3) one or more of the six conduct standards set forth in 11 C.F.R.

2 § 109.21(d) must be satisfied. *See* 11 C.F.R. § 109.21(a).⁴

3 **1. Payment Prong**

4 The payment prong of the coordination regulation, 11 C.F.R. § 109.21(a)(1), is clearly
5 satisfied. Tan Nguyen and the Committee acknowledge and Mark Nguyen admits paying
6 \$4,304.57 to Mailing Pros for mailing the letter.

7 **2. Content Prong**

8 The "content" standards include, in relevant part, a public communication that
9 republishes, disseminates, or distributes campaign materials prepared by the candidate. *See*
10 11 C.F.R. § 109.21(c)(2); *see also* 2 U.S.C. § 441a(a)(7)(B)(iii) (coordination includes "the
11 financing by any person of the dissemination, distribution, or republication, in whole or in part,
12 of any broadcast or any written, graphic, or other form of campaign materials prepared by the
13 candidate, his campaign committees, or their authorized agents.").

14 The content prong is satisfied because the letter constituted a mass mailing, and therefore
15 a "public communication," of written campaign material that was prepared by the candidate, the
16 Committee, and their agents using campaign facilities and resources. *See* 2 U.S.C.
17 § 441a(a)(7)(B)(iii) and 11 C.F.R. § 109.21(c)(2). Campaign volunteer Rudman drafted the letter
18 with Tan Nguyen's input. *See* CDOJ Statement of Probable Cause, Exhibit E (email thread

⁴ The activity at issue occurred in October 2006. Therefore, this report applies the Commission's amended coordinated communication regulations, which became effective on July 10, 2006. *Coordinated Communications*, 71 Fed. Reg. 33190 (June 8, 2006). The U.S. District Court for the District of Columbia recently held that the Commission's revisions of the content and conduct standards of the coordinated communications regulation at 11 C.F.R. §§ 109.21(c) and (d) violated the Administrative Procedure Act; however, the court did not enjoin the Commission from enforcing the regulations. *See Shays v. FEC*, 508 F.Supp.2d 10 at 23-37, 40-43, 45 (D. D. C. Sept. 12, 2007) (No. CIV. A. 06-1247 (CKK)) (granting in part and denying in part the respective parties' motions for summary judgment). The Commission has filed a Notice of Appeal seeking appellate review of the adverse rulings issued by the District Court. While the appeal is pending, we believe that the relevant content and conduct standards are still in effect.

1 between the candidate and Rudman). In addition, Rudman, Tan Nguyen, Mark Nguyen and Chi
2 Dinh worked on the appearance of the letter. *See generally*, CDOJ Chi Dinh Interview
3 Transcript.

4 3. Conduct Prong

5 The Commission's regulations set forth six types of conduct between the payor and the
6 committee, whether or not there is agreement or formal collaboration, that can satisfy the dominant
7 prong. *See* 11 C.F.R. § 109.21(d). Because Tan Nguyen and the Committee were materially
8 involved in the content, dissemination, and timing of the letter, their actions clearly satisfy the
9 conduct standard. *See supra*, pp. 4-6. *See* 11 C.F.R. § 109.21(d)(2).

10 In his and the Committee's response, Tan Nguyen claims that he did not approve or
11 authorize the letter, and that he was unaware of its contents until after the letter had been mailed.
12 At the same time, he states that he was "aware of the existence of a mailer outside of the
13 campaign." He also argues that the letter cannot be considered a campaign contribution or
14 expense because it "did not suggest voting for or against anyone's candidacy."

15 Mr. Nguyen's attempts to distance himself and the Committee from the letter contradict
16 the information obtained by the CDOJ in its investigation establishing that the candidate was
17 personally involved in drafting and disseminating the mailer, including copies of emails sent and
18 received by him and the testimony of others involved in the scheme. *See* CDOJ Chi Dinh
19 Transcript; CDOJ Statement of Probable Cause, Exhibit E (email stream between Tan Nguyen
20 and Rudman). Moreover, his responses do not undermine the conclusion that the letter
21 constitutes a coordinated communication. A third-party paid for the printing and mailing of the
22 letter, it was prepared by the candidate and the Committee's agents, *i.e.*, Rudman, Chi Dinh and
23 Mark Nguyen, and the candidate requested and paid for the list of voters to whom the letter was

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1 sent, provided editing comments, and helped to ensure that the letter was disseminated at the
2 desired time.

3 Similarly, in his response, Mark Nguyen states he had no personal reason for or stake in
4 having the letter disseminated, and that CDOJ determined that he was not part of the plan or
5 agreement to compose the letter. Nonetheless, Mark Nguyen's arguments do not negate the fact
6 that he paid for the letters to be printed and mailed, or that he was involved in obtaining and
7 altering the signature used on the letter. Thus, the letter constitutes a coordinated
8 communication, and Mark Nguyen's payment of \$4,104.57 is an excessive in-kind contribution
9 to the Committee.⁵

10 Moreover, this conduct appears to have been knowing and willful.⁶ The candidate was
11 personally involved in drafting and disseminating the letter, and his efforts to try to hide his and
12 the Committee's involvement strongly suggest a knowing and willful violation of the Act. By
13 acting through others, sending the letter out under the name of a third-party organization, and
14 obtaining the signature used on the letter under false pretenses from a person who appears to
15 have been otherwise uninvolved in the preparation and dissemination of the letter, Tan Nguyen
16 and his Committee attempted to conceal the true source of the letter to benefit his campaign. As
17 a result, we recommend that the Commission find reason to believe that Mark Nguyen knowingly

⁵ Mark Nguyen made a \$2,100 contribution to Tan Nguyen's committee on September 24, 2006. Thus, because he had not reached the \$2,300 individual contribution limit, \$200 was subtracted from the amount he paid to print and mail the letter.

⁶ The phrase knowing and willful indicates that "actions [were] taken with full knowledge of all of the facts and a recognition that the action is prohibited by law." 122 Cong. Rec. H 2778 (daily ed. May 3, 1976); see also *Federal Election Comm'n v. John A. Diamond for Cong. Comm.*, 640 F. Supp. 986, 987 (D.N.J. 1986) (distinguishing between "knowing" and "knowing and willful"). A knowing and willful violation may be established "by proof that the defendant acted deliberately and with knowledge" that an action was unlawful. *United States v. Hopkins*, 916 F.2d 207, 214 (5th Cir. 1990). An inference of a knowing and willful act may be drawn "from the defendant's elaborate scheme for disguising" his or her actions. *Id.*, at 214-15.

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1 and willfully violated 2 U.S.C. § 441a(a)(1) by making, and Tan Nguyen for Congress and Tien
2 Nguyen, in her official capacity as Treasurer, knowingly and willfully violated 2 U.S.C.
3 §§ 441a(f) and 434(b) by accepting and failing to report, an excessive in-kind contribution in the
4 form of a coordinated communication. In addition, based on the personal involvement of the
5 candidate, we recommend that the Commission find reason to believe that Tan Nguyen
6 knowingly and willfully violated 2 U.S.C. § 441a(f) by accepting an excessive in-kind
7 contribution in the form of a coordinated communication. See MUR 5517 (James Stork)
8 (candidate personally liable for accepting excessive in-kind contribution in the form of a
9 coordinated communication).

10 **B. Tan Nguyen and the Committee Knowingly and Willfully Failed to Include a**
11 **Required Disclaimer on the Letter**
12

13 The letter constitutes a public communication because it was a mass mailing (more than
14 500 pieces of mail matter of identical or substantially similar nature within any 30-day period) to
15 the general public as defined by 11 C.F.R. §§ 100.26 and 100.27. A political committee that
16 makes a disbursement for a mailing that was paid for and authorized by a candidate, the
17 candidate's authorized political committee or its agents must state on the communication that it
18 was paid for by such authorized political committee. See 2 U.S.C. § 441d(a)(1). If the
19 communication was paid for by other persons but authorized by a candidate, the candidate's
20 authorized political committee or its agents, the communication must state that it was paid for by
21 such other person and authorized by such political committee. Accordingly, the letter was
22 required to contain the appropriate disclaimer. 11 C.F.R. § 110.11(a). Disclaimers for written
23 communications also must be of sufficient type size to be clearly readable, contained in a printed

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1 box set off from other content, and there must be sufficient color contrast between the print and
2 the background color. See 2 U.S.C. § 441d(c) and 11 C.F.R. § 110.11(2).

3 Although Tan Nguyen argues that he did not "authorize" the letter, his statement is not
4 credible in light of other statements he has made and is contradicted by the CDOJ's evidence. In
5 short, it appears that he helped to draft the letter, paid for part of it, and knew that friends would
6 be sending a letter out. See Tan Nguyen "Cross Communist exhibit, "Win, Lose... or Jail? The
7 Tan Nguyen Story," p. 3. Thus, the letter should have contained a disclaimer stating that it was
8 authorized by Tan Nguyen or the Committee and paid for in part by Mark Nguyen and in part by
9 the Committee. See 11 C.F.R. § 110.11(b)(1). Because it did not, the candidate and the
10 Committee appear to have violated the Act.

11 Moreover, the violation of the disclaimer provisions appears to have been knowing and
12 willful. See *supra* note 6 and accompanying text. The candidate and Committee likely were
13 somewhat familiar with the Act's requirements because other mailings sent by the Committee do
14 contain some of the required information required by the disclosure provisions. See Tan Nguyen
15 Response, Exhibits A-D; see also www.tanforcongress.com (under "mailers" link, mailers
16 contain some, but not all, information required by the Act).⁷ In addition, it is apparent that Tan
17 Nguyen and the Committee intentionally concealed their identity so that recipients would not
18 know that they authorized and paid for the letter. See MUR 4919 (East Bay Democratic
19 Committee) (Commission found reason to believe respondents knowingly and willfully violated
20 2 U.S.C. § 441d(a) by concealing identity). Accordingly, we recommend that the Commission

⁷ The Committee's other mailers state in the return address position "Paid for by Tan Nguyen for Congress, 12955 Main Street, Garden Grove, CA 92640, www.tanforcongress.com, (714) 530-1612." Thus, the Committee's other mailers also violate the Commission's disclaimer regulations because they do not state who authorized the mailers and are not contained in a box.

1 find reason to believe that Tan Nguyen and Tan Nguyen for Congress and Tien Nguyen, in her
2 official capacity as Treasurer, knowingly and willfully violated 2 U.S.C. § 441d(a).

3 **C. The Committee Failed to Report the Cost of the Voter List**

4
5 An authorized political committee's disclosure reports must disclose all disbursements.
6 See 2 U.S.C. § 434(b)(4). A Committee's disclosure reports must also disclose contributions
7 from the candidate. See 11 C.F.R. §§ 104.3(a)(3)(ii) and 116.5(b). The Committee's disclosure
8 reports do not show the disbursement for the voter list or that the payment for the voter list was a
9 contribution from the candidate. Thus, we recommend that the Commission find reason to
10 believe that Tan Nguyen for Congress and Tien Nguyen, in her official capacity as Treasurer,
11 violated 2 U.S.C. § 434(b)(4).

12 **D. Other Alleged Violation**

13 CDOJ alleges that the Committee lacked a named treasurer for more than a 10-day
14 period, in violation of 2 U.S.C. § 433(c), but the complaint does not state the relevant dates. The
15 information is not apparent from the Committee's disclosure reports or an RFAI that the Reports
16 Analysis Division sent the Committee about the issue. Given the relatively minor nature of the
17 violation and the lack of information to allow us to discern one way or another whether a
18 violation occurred, we recommend that the Commission dismiss this allegation. See Policy
19 Statement Regarding Commission Action in Matters at the Initial Stage in the Enforcement
20 Process, 72 Fed. Reg. 12545 (March 16, 2007).

21 **E. Other Respondents**

22 **1. CCIR and Barbara Coe**

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24 There is no information available that CCIR or Barbara Coe violated the Act. In her
25 response, Coe denies any participation in disseminating the letter. Although it is unclear why she

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1 faxed blank CCIR letterhead to the Committee's office, its use by the Committee appears to have
2 been unauthorized. Thus, we recommend that the Commission find no reason to believe that
3 California Coalition for Immigration and Barbara Coe violated the Act.

4 **2. Roger Rudman**

5 Similarly, there is no information that Roger Rudman violated the Act. His actions as a
6 campaign volunteer or staff member in drafting the letter and overseeing its dissemination do not
7 appear to result in personal liability under the Act. Thus, we recommend that the Commission
8 find no reason to believe that Roger Rudman violated the Act.

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6 **IV. RECOMMENDATIONS**

- 7 1. Find reason to believe that Tan Nguyen knowingly and willfully violated 2 U.S.C.
8 §§ 441a(f) and 441d(a);
- 9 2. Find reason to believe that Tan Nguyen for Congress and Tien Nguyen, in her
10 official capacity as Treasurer, knowingly and willfully violated 2 U.S.C.
11 §§ 434(b), 441a(f) and 441d(a);
- 12 3. Find reason to believe that Mark Nguyen knowingly and willfully violated
13 2 U.S.C. § 441a(a)(1);
- 14 4. Find reason to believe that Tan Nguyen for Congress and Tien Nguyen, in her
15 official capacity as Treasurer, in her official capacity as Treasurer, violated
16 2 U.S.C. § 434(b);

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- 1 5. Dismiss the allegation that Tan Nguyen for Congress and Tien Nguyen, in her
2 official capacity as Treasurer, violated 2 U.S.C. § 433(c);
- 3 6. Find no reason to believe that California Coalition for Immigration Reform,
4 Barbara Coe, and Roger Rudman violated the Act and close the file as to these
5 Respondents;
- 6 7. Approve the attached Factual and Legal Analyses;
- 7 8.
- 8
- 9
- 10 9.
- 11 10. Approve the appropriate letters.

Thomaseia P. Duncan
General Counsel

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16 12-20-07
17 Date

BY: K+R Guith
Kathleen Guith
Acting Deputy Associate General Counsel
for Enforcement

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